

# Welcome To Idaho State Tax Commission's 2007 Budget And Levy Training



## Please Sign In & Pick Up:

1. Budget & Levy Packet
2. Evaluation Form

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For the convenience of others please turn off  
cellphones and pagers.



# Workshop Agenda

Introductions	15 minutes	8:30 – 8:45
New Legislation	15 minutes	8:45 – 9:00
Process	45 minutes	9:00 – 9:45
Break	15 minutes	9:45 – 10:00
L-2 Forms and Related Issues	75 minutes	10:30 – 11:15
Special Situations	30 minutes	11:15 – 11:45
Questions	15 minutes	11:45 – 12:00

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# State Tax Commission's Web Page: [tax.idaho.gov](http://tax.idaho.gov)

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**Where's my Refund?**

**HOT TOPICS**

- \* [Free income tax filing](#)
- \* [Employers can file W-2s online for free](#)

**Web & Catalog Shoppers**

- Idaho Sales/Use Tax Rate Change
- News for Wineries
- Free Unclaimed Property Reporting
- News for Idaho military members and their families (updated 3-24-06)
- Free online filing for sales/use and withholding
- See if your name is on our unclaimed property list
- Unfired Fuel on Indian Reservations
- Apply for IFTA License
- Register a New Business
- Verify a Seller's Permit
- New to Idaho?

**Other states' tax agencies**

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## PROPERTY TAX

Property taxes are used to pay for schools, cities, counties, local law enforcement, fire protection, highways, libraries, and more. The state oversees local property tax procedures to make sure they comply with Idaho laws. Also the Idaho State Tax Commission sets property tax values for operating property, which consists mainly of public utilities and railroads.




Most homes, farms, and businesses are subject to property tax. Taxes are determined according to a property's current market value minus any exemptions. For example, homeowners of owner-occupied property may qualify for a partial exemption. Also, qualified low income homeowners can receive a property tax reduction.

For more information on Idaho's property tax system, watch [How Our Property Tax System Works](#) and read our [brochures](#).

You can also find specific property tax information under the categories below:

[Homeowners](#) | [Business & Agriculture](#) | [Local Government](#) | [Property Tax Policy](#)

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**PROPERTY TAX SECTION:**

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This is the Property Tax page.

Select Publications to get L-2s etc.

start

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# State Tax Commission

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## PUBLICATIONS


### Property Tax Publications

You will need [Adobe Acrobat Reader 5.0 or higher](#) to view and print these pdf files. Please click on "**F**" for Forms, "**B**" for Brochures, and "**D**" for Documents to access them.

	<u>Forms</u>	<u>Brochures</u>	<u>Documents</u>
Budget & Levy	F	B	D
Education	F	B	D
Exemptions	F		
Operating Property	F	B	
Personal Property	F	B	D
Property Appraisal		B	D
Property Tax		B	D
Property Tax Deferral	F	B	
Property Tax Reduction	F	B	D
Tax Policy		B	D
Timber	F	B	D

[Order Appraisal Forms](#)  
(County Personnel only, password required)

To get your blank L-2s select here



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**FORMS**

**Sign up for E-mail Updates**

**Property Tax Forms**

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Please review each form for complete mailing instructions.

**Budget & Levy**

**Excel PDF**

- General L-2
- L-2 Calculation
- Hospital L-2
- L-2 Continuation Page
- School L-2
- School L-2 Worksheet
- Voter Approved Fund Tracker
- Budget Hearing Notice Noncompliance List
- Recovered/Recaptured Property Tax List

**Education Certification Applications**

- [Continuing Education](#)
- [Property Tax Appraiser Certification](#)

**Exemptions**

- [Pollution Control](#)
- [Remediated Land](#)
- [Post Consumer Waste](#)

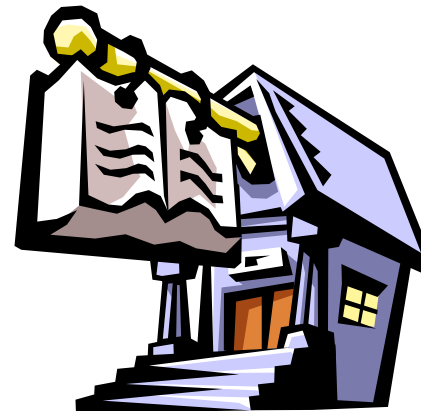
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# ROLES AND PLAYERS

## Taxing District:

1. Notify County Clerk of budget hearing date and location (deadline was April 30, 2007)
2. Set your budget
3. Certify budget to County Commissioners (Sept. 6, 2007, or 17 working day extension from the County to Sept. 17, 2007)



# Property Tax Budget Hearing Notification

## 63-802A. NOTICE OF BUDGET HEARING

- (1) Not later than April 30 of each year, each taxing district shall set and notify the county clerk of the date and location set for the budget hearing of the district. If no budget hearing is required by law, the county clerk shall be so notified.
- (2) Beginning in 2003, a taxing district that fails to comply with subsection (1) of this section shall be prohibited from including in its budget any budget increase otherwise permitted by either subsection (1)(a) or (1)(e) of section 63-802, Idaho Code.
- (3) If a taxing district wishes to change the time and location of such budget hearing as stated on the assessment notice, it shall publish such change of time and location in advance of such hearing as provided by law.

(Prohibits property tax budget increases from 3%, New Construction, Annexation, recaptured foregone, and future foregone.)

**10 taxing districts failed to comply in 2006.**

**805. PENALTY FOR FAILURE TO PROVIDE NOTICE OF BUDGET HEARING (RULE 805).**

Section 63-802A, Idaho Code

(3-15-02)

**01. Penalties For Non-Compliance.** Effective January 1, 2003, penalties shall be applied to any taxing district that fails to provide each appropriate county clerk with **written** notification of the budget hearing information required pursuant to Section 63-802A, Idaho Code. ~~The penalties provided by this section apply only to failure to comply with the April 30 notification deadline.~~

(3-15-02)

~~**a. Non-Complying Non-School Districts.** There shall be no increase in the portion of the budget subject to the limitations of Section 63-802, Idaho Code. This restriction shall apply to otherwise available budget increases from the three percent (3%) growth factor, new construction or change of land use classification, and annexation. There shall also be no increase resulting from adding previously accrued foregone increase amounts to the budget and the total accrued foregone amount shall not change for a non-complying district. The penalties provided by this section apply only to failure to comply with the April 30 notification deadline.~~

(3-15-02)(\_\_\_\_)

~~**b. Non-Complying School Districts.** The maintenance and operation portion of the budget is the portion that shall not increase. School tort and tuition funds shall be permitted to increase, subject to the limitations of Section 63-802, Idaho Code.~~

(3-15-02)

**02. Exceptions.** Voter approved budget increases permitted pursuant to Section 63-802(4), Idaho Code, shall be allowed.

(3-15-02)

**03. County Clerks to Submit Lists.** By the fourth Monday of May, each county clerk shall submit to the State Tax Commission a list of non-complying taxing districts along with other documents required pursuant to Rule 803 of these rules and Section 63-808, Idaho Code.

(4-11-06)

Written  
notification  
required for  
budget  
hearing.

# ROLES AND PLAYERS

## County:

### County Clerk:

1. Provides value & tax information to Taxing Districts
2. Provides information to County Commissioners
3. Provides information to State Tax Commission

### County Commissioners:

1. Make levy
2. Approve property tax portion of budget
3. Submit levy & approved budget to State Tax Commission  
(Sept. 17, 2007)

# ROLES AND PLAYERS

## State Tax Commission

1. Review and approve levy and property tax portion of budget (October 22, 2007)
2. Determine operating property values
  - Preliminary values in July
  - State Board of Equalization finalizes by 4<sup>th</sup> Monday in August.
  - Final values in September (Sept. 4, 2007)
3. Provide technical support & assistance.

## *What year is it anyway?*

Throughout this presentation, when we refer to a calendar year, we are referring to the year in which your property tax budget is being certified.



2007 or FY2008						

# 2007 Legislative Session



# New Laws Detail

<b>Bill #</b>	<b>Eff Date</b>	<b>Description  State of Idaho's web page – <a href="http://tax.idaho.gov">tax.idaho.gov</a></b>
HB-79A	1/1/07	New construction value in an urban renewal area not to be used in p-tax budget calculations. Existing increment value as 12/31/06 will be maintained. After U/R dissolved increment value, less 12/31/06 value, can be used for p-tax budget increases.
HB-181	1/1/07	Reduces the maximum levy rate for community college districts from 0.0016 to 0.00125.
HB-189	1/1/07	Changes Wind Energy Farms from an apportioned property tax base to a net revenue tax. Provides for in lieu of tax to districts. Mainly in Bingham, Bonneville, and Twin Falls Counties.

# Property Taxes and the 3% Cap



# Terminology

- **Net taxable market value** = total value of property within the boundaries of a taxing district, less all exemptions.
- **Budget** = for the purposes of this presentation, unless otherwise indicated, budget refers to the property tax portion of your budget.
- **Levy** = refers to a rate that is determined by dividing the district's individual fund's property tax budget by the total taxing district's net taxable value.
- There are other terms mentioned throughout this presentation found in the appendix.

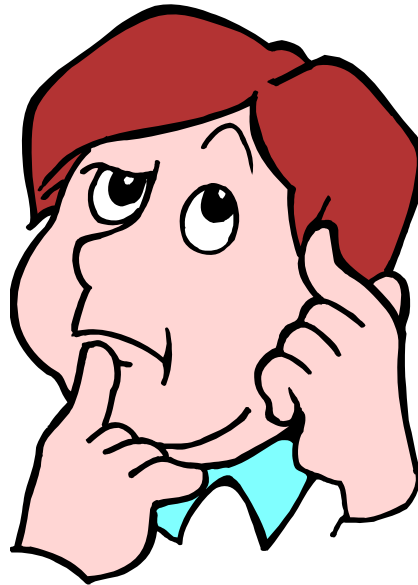
# Different Limitations



**Property Tax Budget**



**Limits**



**Levy Rate Limits**



**0.001234567**

# Property Tax Budget and Levy Limits Defined in Idaho Code

## **Property Tax Budget Limit - 3% Cap**

Section 63-802, I.C. LIMITATION ON BUDGET REQUESTS -- LIMITATION ON TAX CHARGES -- EXCEPTIONS.

(1) No taxing district shall certify a budget request for an amount of property tax revenues to finance an annual budget that exceeds the greater of:...(3% language)

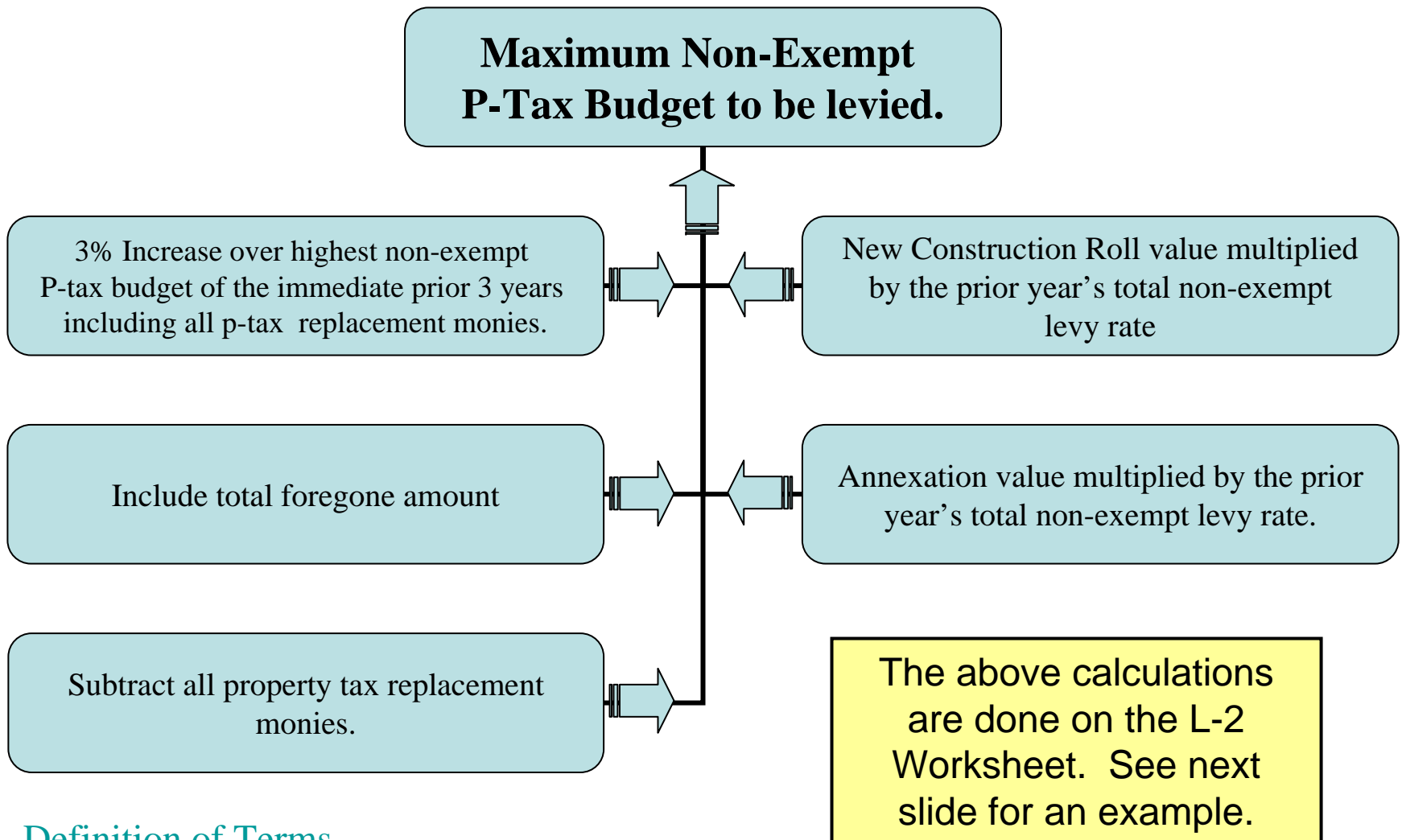
## **Levy Rate Limit (example)**

CEMETERY MAINTENANCE DISTRICT LAW 27-121. LEVIES BY CEMETERY MAINTENANCE BOARD COMMISSIONERS.

(1) At the last regular meeting of the cemetery maintenance board prior to the second Monday of September in each year, the cemetery board of each cemetery maintenance district may levy for cemetery purposes a property tax in each cemetery maintenance district of not more than four hundredths of one percent (.04%) of the market value for assessment purposes on all taxable property within the cemetery maintenance district.

[Example: Maximum Levy Sheet](#)

# Computing Your Maximum Non-exempt Property Tax Budget



[Definition of Terms](#)

**L-2 Worksheet (must be attached to the L-2 form)**

**District Name:**

**Enter Year:**

**Computation of 3% budget increase:**

Enter the "Highest Non-Exempt P-Tax Budget plus Ag \$" from the "Maximum Budget and Foregone Amount Worksheet".

(1)

Multiply line 1 by 3%.

(2)

**New Construction & Annexation budget increases:**

Enter the 2007 value of new construction roll.

(3)

Enter the 2007 value of annexation that occurred in 2006.

(4)

Enter the total 2006 approved non-exempt levy rate.

(5)

New Construction Roll budget increase (multiply line 3 by line 5).

(6)

-

Annexation budget increase (multiply line 4 by line 5).

(7)

-

**Foregone Amount:**

Enter the total available foregone amount here.

(8)

**Maximum Allowable Non-exempt Property Tax Budget:**

Add lines 1+2+6+7+8.

(9)

-

**Property Tax Replacement:**

Enter yearly amount of the agricultural equipment replacement money.

(10)

Enter recovered Homeowner's Exemption property tax.

(11)

Enter recaptured QIE.

(12)

Enter the total of lines 10, 11, and 12: (Must match col. 5 of L-2).

(13)

-

**Maximum Allowable Non-exempt Property Tax to be Levied:**

Subtract line 13 from line 9.

(14)

-

Note: Information is available from your County Clerk(s).

The amount on line 13 must match the total of column 5 on the L-2 form.

Amount in column 6, "subtotal" row, of the L-2 cannot exceed the amount in Line 14.

# Information to Complete the L-2 Worksheet

District Name	Highest of the last 3 years approved non-exempt Property Tax Budget			Highest non- exempt P-Tax Budget + P-Tax Replacements	3% Increase (Highest P-Tax \$ plus Total P-Tax Replacement x 3%)	Non-Exempt Approved Levy Rate Total	Foregone Amount
	2004	2005	2006				
Boundary County	2,910,690	3,061,039	3,270,590			0.004494613	
County Road & Bridge							
<b>Total County Budget Information:</b>	2,910,690	3,061,039	3,270,590	3,319,362	99,581		
<b>Cities:</b>							
Bonniers Ferry	403,649	416,891	434,444	434,891	13,047	0.003589134	
Moyie Springs	35,604	37,221	39,648	39,735	1,192	0.001243340	
<b>Schools:</b>							
<b>School districts only use the Tort, Migrant Worker Funds.</b>							<b>New Const Levy</b>
Boundary #101	57,952	59,690	50,743	63,748	1,912	0.000069733	0.000087606
<b>Fire:</b>							
South Boundary	83,098	89,201	96,483	96,483	2,894	0.001196129	
Boundary County Library	188,538	198,261	211,819	214,481	6,434	0.000291092	

Demonstration Purposes  
Only

# Example: Computing 3% Portion of Increase

Year	2004	2005	2006
Total levied non-exempt p-tax budget	\$ 244,883	\$ 255,443	\$ 274,079
Agricultural Replacement Money	\$ 7,973	\$ 7,973	\$ 7,973
*Recovered Homeowner's Exemption	0	\$ 451	\$ 387
<b>Total Property Tax Replacement monies</b>	<b>\$ 7,973</b>	<b>\$ 8,424</b>	<b>\$ 8,360</b>
Total levied non-exempt property tax budget plus property tax replacements	<b>\$252,856</b>	<b>\$ 263,867</b>	<b>\$ 282,439</b>

Computation of 3% increase:

[Maximum Budget Worksheet](#)

$$\begin{array}{r}
 \$ 282,439 \\
 \times 0.03 \\
 \hline
 \$ 8,473
 \end{array}
 \quad
 \begin{array}{r}
 \$ 282,439 \\
 + 8,473 \\
 \hline
 \$ 290,912 \text{ (total plus 3\% increase)}
 \end{array}$$

\* = Reported as of June 30 each year.

# New Construction Roll Example

2006 total non-exempt levy = 0.003045322

(does not include bonds etc.)

2007 New Construction Roll Value = \$ 500,000

(qualifying new construction first taxable or allowable in 2007)

Multiply the 2007 New Construction Roll Value  
by the 2006 non-exempt levy:

$$\begin{array}{r} \$ \quad 500,000 \\ \times \quad 0.0003045322 \\ \hline \$ \quad 1,523 \end{array} \quad \begin{array}{l} \text{Additional budget allowance} \\ \text{(above 3\% increase)} \end{array}$$

# New Construction Roll

## Idaho Code §63-301A & §63-802 & Rule 802

### for period 1-1-2006 thru 12-31-2006

#### ✓ **Includes:**

1. New structures and newly occupied residences.
2. Additions or alterations to existing non-residential structures
3. Installation of new or used manufactured housing that did not previously exist within the county.
4. Change of land use classification (ie. agricultural to commercial)
5. Newly taxable as a result of loss of inventory exemption (63-602W).
6. Construction of improvement, installation of equipment used in conjunction with generation of electricity. See code for more details.
7. Increase in increment value for **dissolved** urban renewal districts.
  - a. Excludes: New Construction in Revenue Allocation Areas within the Urban Renewal Districts.

#### ✓ **A final new construction value will be available for each district by the 1st Monday in August.**

## HB-79 – Effect on New Construction Roll Values

- Affects only districts overlapping a Revenue Allocation Area (RAA) in an Urban Renewal District (URD).
- Effective 1/1/2007 new construction roll value within the RAA area will **not** be reported to taxing districts for use in budget increases.
- Existing increment value as of 12/31/2006 will be tracked.
- When the URD terminates all of the increment value, less the 12/31/2006 increment value, will be made available for use in budget increases.

# Annexation Example

2006 total non-exempt levy = 0.003045322  
(does not include bonds etc.)

2007 Annexation\* Value = \$ 250,000  
(annexation occurred between 1/1/2006 and 12/31/2006)

Multiply the 2007 Annexation Value by the 2006  
non-exempt levy:

\$	250,000	
X	<u>0.003045322</u>	
\$	761	Additional budget allowance (above 3% increase)

**\* Stated annexation value includes taxable real and personal and operating property value.**

# Maximum Non-Exempt Property Tax Portion of Budget Calculation

## Example

L-2 Worksheet (must be attached to the L-2 form)				
District Name: <b>SAMPLE</b>			Enter Year:	<b>2007</b>
<b>Computation of 3% budget increase:</b>				
Enter the "Highest Non-Exempt P-Tax Budget plus Ag \$" from the "Maximum Budget and Foregone Amount Worksheet".			(1)	282,439
Multiply line 1 by 3%.			(2)	8,473
<b>New Construction &amp; Annexation budget increases:</b>				
Enter the 2007 value of new construction roll.	(3)	500,000		
Enter the 2007 value of annexation that occurred in 2006.	(4)	250,000		
Enter the total 2006 approved non-exempt levy rate.	(5)	0.003045322		
New Construction Roll budget increase (multiply line 3 by line 5).			(6)	1,523
Annexation budget increase (multiply line 4 by line 5).			(7)	761
<b>Foregone Amount:</b>				
Enter the total available foregone amount here.			(8)	3,000
<b>Maximum Allowable Non-exempt Property Tax Budget:</b>				
Add lines 1+2+6+7+8			(9)	296,196
<b>Property Tax Replacement:</b>				
Enter yearly amount of the agricultural equipment replacement	(10)	7,973		
Enter recovered Homeowner's Exemption property tax.	(11)			
Enter recaptured QIE.	(12)			
Enter the total of lines 10, 11, and 12: (Must match col. 5 of L-2).			(13)	7,973
<b>Maximum Allowable Non-exempt Property Tax to be Levied:</b>				
Subtract line 13 from line 9.			(14)	288,223

Reported as  
of June 30<sup>th</sup>  
each year.

**This represents a 5% increase from the last year's non-exempt property tax to be levied of \$ 274,079 (excluding property tax replacement monies).**

# Property Tax Replacement

- Agricultural Equipment Replacement monies:
  - Agricultural equipment exempted in 2001.
    - 2000 tax plus one time 6% inflation calculation.
- Recovery:
  - Improperly claimed homeowner's exemption.
  - Available by June 30<sup>th</sup> each year.
- Recapture:
  - Property tax exemption in lieu of Investment Tax Credit (QIE).
  - Available by June 30<sup>th</sup> each year.
- Property Tax Relief Fund:
  - County (only)
- Total of all
  - Added back to total non-exempt property taxes to compute 3% increase and future foregone amounts.
  - Subtracted from property taxes before computing levies.

# When Is All This Information Available?

## **Information available from the County Clerk:**

I.C. §63-802 property tax information is currently available

New Construction Roll Value-3<sup>rd</sup> Monday - July

Annexation:

Real and personal – 1<sup>st</sup> Monday - August

Operating property – 1<sup>st</sup> Monday - September

## Non-School Funds Exempt From 3% Annual Increase Cap I.C. §63-802

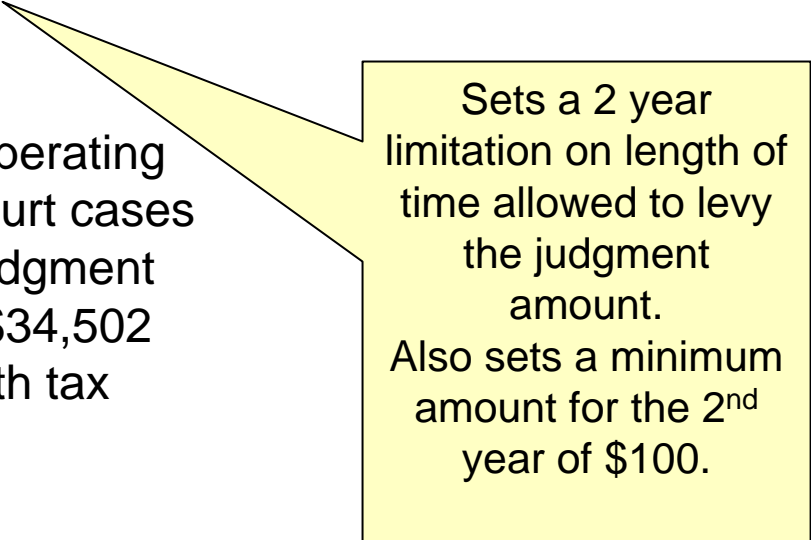
Bond	Refer to authorizing statute for specific requirements but all require 2/3 majority voter approval.
Temporary Override	All taxing districts have authority. 2 years maximum duration; requires simple majority to pass. <b><i>Can not exceed fund's levy limit.</i></b>
63-1305 Judgment	Assessed value appeals: relates to District Court or Board of Tax Appeals valuation decisions.
Permanent Override	All taxing districts have authority. Most need a 2/3 majority to pass. Qualifying cities have additional version that requires only 60% voter approval to pass. <b><i>Can not exceed fund's levy limit.</i></b>
Plant Facility	Available to Library Districts and Community Colleges. See I.C. §33-804 for details.

# 63-1305 Judgment Levies

## Rule 939

**939. Court or Board of Tax Appeals Ordered Refunds or Credits – Levy Restrictions (Rule 939).** (Section 63-1305, Idaho Code). Section 63-1305, Idaho Code allows taxing districts to certify and levy a judgment levy for an amount equal to property tax refunds or credits ordered by a court or the board of tax appeals and to include such amount with amounts certified and levied under Sections 63-802 through 63-807, Idaho Code. For each affected taxing district, the decision to certify and levy such amounts is permissive. For any taxing district to utilize this provision, **amounts to be levied must be certified within the two years immediately following the order. Any amount, not certified and levied within that two-year period, is lost. In the second year following the order, the amount remaining will be lost for any taxing district for which such amount is less than \$100.**

Additional Note: There are at least 2 more Operating Property companies that have settled their court cases which will result in additional I.C. §63-1305 judgment amounts this year. They are N.W. Pipeline (\$34,502 tax) and Pacific Corp. (\$150,000 apx tax) (both tax amounts less interest).



Sets a 2 year limitation on length of time allowed to levy the judgment amount. Also sets a minimum amount for the 2<sup>nd</sup> year of \$100.

[Sample of by County District List of available judgments.](#)

# Break

Time for a 15 minute break



# Property Tax Forms



# List of Property Tax Related Forms

- Below is a list of the forms we will be reviewing.
  - 2007 Dollar Certification of Budget Request to Board of County Commissioners L-2. (L-2 for short)
  - L-2 Worksheet (must be attached to the L-2 form)
  - Voter Approved Fund Tracker (as required)

## 2007 Dollar Certification of Budget Request to Board of County Commissioners L-2

District or Taxing Unit's Name:

County(ies):

Fund	Total Approved Budget*	Cash Forward Balance	Other revenue <i>NOT</i> shown in Column 5	Property Tax Replacement From Line 13 of L-2 Worksheet	Balance to be levied	Calculated Levy Rate	Maximum Levy Rate
					Col. 2 minus (Cols. 3+4+ 5)	(County Use Only)	(County Use Only)
1	2	3	4	5	6	7	8
Subtotal of funds subject to budget cap in I.C. §63-802. Not to exceed line 14 of the L-2 Worksheet.							
Column Total:							

I certify that the amounts shown above accurately reflect the budget being certified in accordance with the provisions of I.C. §63-803.

To the best of my knowledge, this district has established and adopted this budget in accordance with all provisions of Idaho Law.

Signature of District Representative

Title

Date

Please print above: Contact Name and Mailing Address

Email Address:

Phone Number: (       )

Fax Number: (       )

### Net Taxable Market Value Computation:

#### For County Clerk Use Only

County	New Construction Roll Value:	Annexation Value:	Net Taxable Market Value:
Total Value:			

\* NOTE: Do not include revenue allocated to urban renewal agencies.

Revised 3/15/2007 (form BL008)

# Completing the L-2

## 2007 Dollar Certification of Budget Request to Board of County Commissioners L-2

District or Taxing Unit's Name:					County(ies):		
Fund	Total Approved Budget*	Cash Forward Balance	Other revenue <u>NOT</u> shown in Column 5	Property Tax Replacement From Line 13 of L-2 Worksheet	Balance to be levied	Calculated Levy Rate	Maximum Levy Rate
					Col. 2 minus (Cols. 3+4+5)	(County Use Only)	(County Use Only)
1	2	3	4	5	6	7	8
Subtotal of funds subject to budget cap in I.C. §63-802. Not to exceed line 14 of the L-2 Worksheet.							
Column Total:							

# Contact Information Needed

I certify that the amounts shown above accurately reflect the budget being certified in accordance with the provisions of I.C. §63-803.

To the best of my knowledge, this district has established and adopted this budget in accordance with all provisions of Idaho Law.

Signature of District Representative

Title

Date

Please print above: Contact Name and Mailing Address

Email Address:

Phone Number: (       )

Fax Number: (       )

Something  
new  
this year

# County Use Only

## Do Not Fill In

Net Taxable Market Value Computation: For County Clerk Use Only			
County	New Construction Roll Value:	Annexation Value:	Net Taxable Market Value:
Total Value:			

**L-2 Worksheet (must be attached to the L-2 form)**

<b>District Name:</b>					<b>Enter Year:</b>	
<b>Computation of 3% budget increase:</b>						
Enter the "Highest Non-Exempt P-Tax Budget plus Ag \$" from the "Maximum Budget and Foregone Amount Worksheet".			(1)			
Multiply line 1 by 3%.			(2)			
<b>New Construction &amp; Annexation budget increases:</b>						
Enter the 2007 value of new construction roll.	(3)					
Enter the 2007 value of annexation that occurred in 2006.	(4)					
Enter the total 2006 approved non-exempt levy rate.	(5)					
New Construction Roll budget increase (multiply line 3 by line 5).			(6)		-	
Annexation budget increase (multiply line 4 by line 5).			(7)		-	
<b>Foregone Amount:</b>						
Enter the total available foregone amount here.			(8)			
<b>Maximum Allowable Non-exempt Property Tax Budget:</b>						
<b>Add lines 1+2+6+7+8.</b>			(9)		-	
<b>Property Tax Replacement:</b>						
Enter yearly amount of the agricultural equipment replacement	(10)					
Enter recovered Homeowner's Exemption property tax.	(11)					
Enter recaptured QIE.	(12)					
Enter the total of lines 10, 11, and 12: (Must match col. 5 of L-2).			(13)		-	
<b>Maximum Allowable Non-exempt Property Tax to be Levied:</b>						
<b>Subtract line 13 from line 9.</b>			(14)		-	

Note: Information is available from your County Clerk(s).

The amount on line 13 must match the total of column 5 on the L-2 form.

Amount in column 6, "subtotal" row, of the L-2 cannot exceed the amount in Line 14.

## 2007 (Voter) Approved Fund Tracker

**District Name:**

### Override or School Supplemental Fund

**Date of election:**

**Term of initiative**

**Annual amount authorized by voters**

**1st calendar year levied**

**Available to all  
taxing districts.**

### COSA (>50% Voter Approval)/COSA Facilities (2/3 Voter Approval) Fund authorized by I.C. §33-317.

**Date of election**

**Term of initiative**

**Annual amount authorized by voters**

**1st calendar year levied**

**Available to school  
districts only.**

### Plant Facilities/Safe School Plant Facilities authorized by I.C. §33-804 & 33-804A.

**Date of election**

**Term of initiative**

**Annual amount authorized by voters**

**1st calendar year levied**

**Only Schools,  
Library or  
Community  
College districts  
eligible.**

### Bonds refer to district code for specifics.

**Date of election**

**Term of initiative**

**1st calendar year levied**

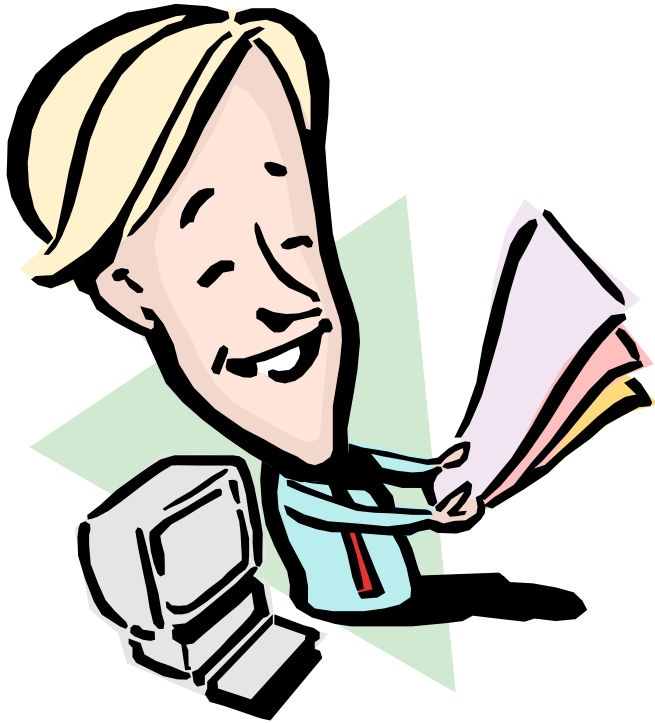
**Available to all  
taxing districts.**

Attach to your L-2 form and return to your County Clerk no later than September 6, 2007.  
(I.C. §63-803), except as provided in I.C. §33-805.

# Overriding the 3% Budget Cap

- Available to all types of taxing districts.
  - **Two (2) year override**
    - Simply majority to pass
    - Temporary – expires in 2 years.
    - Election held in February, May, August, or November
    - Not allowed a 3% increase
  - **Permanent override**
    - 2/3<sup>rd</sup> majority to pass (60% for qualifying cities)
    - Resets the non-exempt portion of a taxing districts property tax budget.
    - Election held in May or November
    - Included in 3% calculation
  - Both are fund specific
  - Can not exceed fund's levy limit (except Highway District)

# Let's Fill in an L-2 Together



## Here is the Information You Will Need

- District name is RIP Cemetery District.
- Provided by County
  - Net Taxable Market Value for your cemetery district \$105,695,371.
  - New Construction Roll value is \$1,996,920.
- See Next Page for Remaining Information.

# Example of: Maximum Budget and Foregone Amount Worksheet

District Name	Highest of the last 3 years approved non-exempt Property Tax Budget			Highest non-exempt P-Tax Budget + P-Tax Replacements	3% Increase (Highest P-Tax \$ plus Total P-Tax Replacement x 3%)	Non-Exempt Approved Levy Rate Total	Foregone Amount
	2004	2005	2006				
Example County A	62,594,612	68,447,007	72,277,047	72,351,964	2,170,559	0.002560344	3,054,827
<b>Cities:</b>							
City A	76,583,360	82,908,058	87,442,104	87,513,169	2,625,395	0.005492380	515
City B	1,298,137	1,502,894	1,782,685	1,782,704	53,481	0.000762075	204
<b>Schools:</b>							
<b>School districts only use the Tort, Migrant Worker Funds.</b>						<b>Hypothetical N/C Levy</b>	
School #A	427,730	436,284	341,382	445,009	13,350	0.000022323	0.000022683
School #B	340,960	375,900	395,990	425,780	12,773	0.000032637	0.000034800
School #C	68,201	75,940	74,956	85,852	2,576	0.000075788	0.000085976
<b>Cemetery:</b>							
RIP Cemetery District	11,597	12,243	12,877	13,959	419	0.000118290	

“Highest non-exempt P-Tax budget + P-Tax Replacements” column includes all property tax replacement monies.  
Agricultural replacement for the RIP Cemetery District is 1,082 and there is no other recaptured money.

# RIP Cemetery District Budget

- Total FY2008 Budget is \$29,500
  - No money is coming from your current bank account.
  - From fees and other income there is anticipated revenue of \$15,541.
  - Agricultural replacement money is \$1,082.

L-2 Worksheet (must be attached to the L-2 form)				
District Name: RIP Cemetery District		Enter Year:	2007	
<b>Computation of 3% budget increase:</b>				
Enter the "Highest Non-Exempt P-Tax Budget plus Ag \$" from the "Maximum Budget and Foregone Amount Worksheet".			(1)	13,959
Multiply line 1 by 3%.			(2)	419
<b>New Construction &amp; Annexation budget increases:</b>				
Enter the 2007 value of new construction roll.	(3)	1,996,920		
Enter the 2007 value of annexation that occurred in 2006.	(4)			
Enter the total 2006 approved non-exempt levy rate.	(5)	0.000118290		
New Construction Roll budget increase (multiply line 3 by line 5).			(6)	236
Annexation budget increase (multiply line 4 by line 5).			(7)	-
<b>Foregone Amount:</b>				
Enter the total available foregone amount here.			(8)	
<b>Maximum Allowable Non-exempt Property Tax Budget:</b>				
Add lines 1+2+6+7+8			(9)	14,614
<b>Property Tax Replacement:</b>				
Enter yearly amount of the agricultural equipment replacement	(10)	1,082		
Enter recovered Homeowner's Exemption property tax.	(11)			
Enter recaptured QIE.	(12)			
Enter the total of lines 10, 11, and 12: (Must match col. 5 of L-2).			(13)	1,082
<b>Maximum Allowable Non-exempt Property Tax to be Levied:</b>				
Subtract line 13 from line 9.			(14)	13,532

## 2007 Dollar Certification of Budget Request to Board of County Commissioners L-2

District or Taxing Unit's Name: **RIP Cemetery District**

County(ies): **Example County A**

Fund	Total Approved Budget*	Cash Forward Balance	Other revenue <u>NOT</u> shown in Column 5	Property Tax Replacement From Line 13 of L-2 Worksheet	Balance to be levied	Calculated Levy Rate	Maximum Levy Rate
1	2	3	4	5	Col. 2 minus (Cols. 3+4+ 5)	(County Use Only)	(County Use Only)
M&O	29,500	-	15,541	1,082	12,877	0.000121831	0.0004
Subtotal of funds subject to budget cap in I.C. §63-802. Not to exceed line 14 of the L-2 Worksheet.					12,877	0.000121831	
<b>Column Total:</b>	29,500	-	15,541	1,082	12,877	0.000121831	

**I certify that the amounts shown above accurately reflect the budget being certified in accordance with the provisions of I.C. §63-803.**

**To the best of my knowledge, this district has established and adopted this budget in accordance with all provisions of Idaho Law.**

Chairman of the Board Signature

Chairman of the Board

9/5/2007

Signature of District Representative

Title

Date

Make Sure Things are Done

123 Busy Lane, Hometown, Id. 83000

Please print above: Contact Name and Mailing Address

Email Address:

[whew@tgif.com](mailto:whew@tgif.com)

Phone Number: ( 208 ) 123-4567

Fax Number: ( 208 ) 890-1234

### Net Taxable Market Value Computation:

#### For County Clerk Use Only

County	New Construction Roll Value:	Annexation Value:	Net Taxable Market Value:
Example County A	1,996,920		105,695,371
<b>Total Value:</b>	1,996,920		105,695,371

\* NOTE: Do not include revenue allocated to urban renewal agencies.

Revised 3/15/2007 (form BL008)

# Ready To Try By Yourself?



# Case Problem – Information

The Box Hill Cemetery district, located in County A, needs some assistance in completing their L-2 form.

They have provided you with their budget information below:

Total budget is \$20,000, money from bank accounts is \$1,500, anticipated FY 2008 other revenue \$ 2,000.

They are levying for M&O only.

2007 Net Taxable Market Value is \$ 125,000,000

2007 New Construction Roll Value is \$ 200,000.

# Case Problem – Additional Information

Maximum Budget and Foregone Amount Worksheet

District Name	Total Non-Exempt Fund Levied			Highest non-exempt P-Tax Budget plus Ag \$	3% Increase (Highest P-Tax plus Ag\$ x 0.03)	Non-Exempt Approved Levy Rate Total	Foregone Amount	Yearly Agricultural Replacement Money
	2004	2005	2006					
<b>Cemetery:</b>								
Box Hill Cemetery	12,500	13,000	15,000	16,000	480	0.000139130	500	1,000

With the information provided on the previous 2 slides, please complete the district's L-2 and L-2 worksheet.



# L-2 Worksheet Solution to Case Problem

L-2 Worksheet (must be attached to the L-2 form)				
<b>District Name:</b> Box Hill Cemetery		<b>Enter Year:</b>	2007	
<b>Computation of 3% budget increase:</b>				
Enter the "Highest Non-Exempt P-Tax Budget plus Ag \$" from the "Maximum Budget and Foregone Amount Worksheet".			(1)	16,000
Multiply line 1 by 3%.			(2)	480
<b>New Construction &amp; Annexation budget increases:</b>				
Enter the 2007 value of new construction roll.	(3)	200,000		
Enter the 2007 value of annexation that occurred in 2006.	(4)			
Enter the total 2006 approved non-exempt levy rate.	(5)	0.000139130		
New Construction Roll budget increase (multiply line 3 by line 5).			(6)	28
Annexation budget increase (multiply line 4 by line 5).			(7)	-
<b>Foregone Amount:</b>				
Enter the total available foregone amount here.			(8)	500
<b>Maximum Allowable Non-exempt Property Tax Budget:</b>				
<b>Add lines 1+2+6+7+8</b>			(9)	17,008
<b>Property Tax Replacement:</b>				
Enter yearly amount of the agricultural equipment replacement	(10)	1,000		
Enter recovered Homeowner's Exemption property tax.	(11)			
Enter recaptured QIE.	(12)			
Enter the total of lines 10, 11, and 12: (Must match col. 5 of L-2).			(13)	1,000
<b>Maximum Allowable Non-exempt Property Tax to be Levied:</b>				
<b>Subtract line 13 from line 9.</b>			(14)	16,008

## 2007 Dollar Certification of Budget Request to Board of County Commissioners L-2

District or Taxing Unit's Name: **Box Hill Cemetery**

County(ies): **Example County A**

Fund	Total Approved Budget*	Cash Forward Balance	Other revenue <u>NOT</u> shown in Column 5	Property Tax Replacement From Line 13 of L-2 Worksheet	Balance to be levied	Calculated Levy Rate	Maximum Levy Rate
					Col. 2 minus (Cols. 3+4+ 5)	(County Use Only)	(County Use Only)
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
M&O	20,000	1,500	2,000	1,000	15,500	0.000124000	0.0004
Subtotal of funds subject to budget cap in I.C. §63-802. Not to exceed line 14 of the L-2 Worksheet.					15,500	0.000124000	
<b>Column Total:</b>	20,000	1,500	2,000	1,000	15,500	0.000124000	

**I certify that the amounts shown above accurately reflect the budget being certified in accordance with the provisions of I.C. §63-803.**

**To the best of my knowledge, this district has established and adopted this budget in accordance with all provisions of Idaho Law.**

Chairman of the Board Signature

Chairman of the Board

9/5/2007

Signature of District Representative

Title

Date

Make Sure Things are Done

123 Busy Lane, Hometown, Id. 83000

Please print above: Contact Name and Mailing Address

Email Address:

whew@tgif.com

Phone Number: ( 208 ) 123-4567

Fax Number: ( 208 ) 890-1234

### Net Taxable Market Value Computation:

#### For County Clerk Use Only

County	New Construction Roll Value:	Annexation Value:	Net Taxable Market Value:
Example County A	200,000		125,000,000
<b>Total Value:</b>	200,000		125,000,000

# Foregone Amounts



# Foregone Amount as defined by Idaho Code

## SECTION 63-802(1)(e):

In the case of a nonschool district for which less than the **maximum allowable increase** in the dollar amount of ad valorem taxes is certified for annual budget purposes in any one (1) year, such a district may, in any following year, recover the foregone increase by certifying, in addition to any increase otherwise allowed, an amount not to exceed one hundred percent (100%) of the increase originally foregone. Said additional amount shall be included in future calculations for increases as allowed.

# Box Hill Cemetery Example

## “Maximum Allowable Increase” Defined

\$ 16,000	Highest non-exempt approved p-tax budget of last 3 years.
\$ 480	3% increase
\$ 28	New Construction
\$ 0	Annexation
\$ 500	Prior year's Foregone Amount
\$ 17,008*	Maximum allowable non-exempt p-tax budget

The amount of budget authority derived from all of the I.C. §63-802 limitations.

**\* = before subtraction of replacement/recoveries monies.**

# Computing Foregone Amount Using Case Problem Information

2007 total approved non-exempt property tax budget (sum of non-exempt funds from column 5 and 6 of L-2 form):	\$ 16,500
Maximum allowable 2007 non-exempt property tax budget (line 9 of the L-2 worksheet):	\$ 17,008
Highest approved (2004, 2005, 2006) non-exempt property tax budget for the last 3 years (line 1 of the L-2 worksheet):	\$ 16,000

Computation	
\$ 17,008	Maximum non-exempt p-tax budget
<\$16,500>	Approved 2007 non-exempt budget
\$ 508	Forgone amount available in 2008.

In this example the total 2007 approved non-exempt property tax budget, including all property tax replacement monies (\$16,500), is **greater** than the highest property tax budget of the immediate prior 3 years (\$16,000). In this example you would simple subtract the maximum allowable non-exempt p-tax budget from the total approved non-exempt p-tax budget.

## Foregone Amount Scenario using Modified Case Problem Information

2007 total approved non-exempt property tax budget (sum of non-exempt funds from column 5 and 6 of L-2 form):	\$ 15,500
Maximum allowable 2007 non-exempt property tax budget (line 9 of the L-2 worksheet):	\$ 17,008
Highest approved (2004, 2005, 2006) non-exempt property tax budget for the last 3 years (line 1 of the L-2 worksheet):	\$ 16,000

Computation	
\$ 17,008	Maximum non-exempt p-tax budget
<\$16,000>	Approved 2007 non-exempt budget
\$ 1,008	Foregone amount available in 2008.

In this example the total 2007 approved non-exempt property tax budget, including all property tax replacement monies (\$15,500), is *less* than the highest property tax budget of the immediate prior 3 years (\$16,000). In this example you would subtract the maximum allowable non-exempt p-tax budget from the highest property tax budget of the immediate prior 3 years.

# BEWARE of the 3 year Trap



## What is the 3 Year Budget Trap? Example

In the example below; What is the highest budget of the last 3 years and what year did it occur?

Answer is?: \$10,000 in 2004

2004	2005	2006
\$ 10,000	\$ 8,000	\$ 7,000

Assuming this district levies \$7,000 in 2007, what will be the highest budget of the last 3 years and what year did it occur?

Answer: \$ 8,000 in 2005

This district has just potentially lost \$2,000 of budget authority.

# What to Send with L-2s

- The L-2 form with all pertinent information filled in.
- The L-2 worksheet.
- Voter approved fund tracker (if applicable)
- If new voter approved fund (first time levied) copy of the ballot, and canvass of the vote.
- Newly formed recreation district-copy of the formation petition – showing voter approved levy limit.

# Special Cases Related to Property Taxes

- Taxing District Situations
- Taxing district boundary changes
- Overrides
- Plant Facility
- Fire Districts
- Foregone Amounts

# Property Tax Budgets

## Special Situations

### **Newly created districts:**

Defined as those formed during 2006 or first eligible to levy property taxes in 2007. (except recreation districts can levy in the year they were formed.)

Property tax budget may equal statutory maximum levy multiplied by 2007 net taxable value.

### **Districts which did not levy during 2004, 2005, and 2006:**

Limited to the non-exempt dollar amount of the last property tax budget, provided this amount does not result in a levy which exceeds a statutory levy limit.

### **Districts never levying prop-tax, exempt or non-exempt:**

Defined as those formed before 2007 that have never levied any property taxes. Property tax budget may equal statutory maximum levy multiplied by 2007 net taxable value.

Note: Base = \$ 0 if only a bond was levied for.

# New or Changing Taxing Units

- New District:
  - Map of boundaries must be submitted to meet requirements of STC.
  - Non-compliance = no property taxes.
- Boundary Change:
  - Map of boundaries must be submitted to meet requirements of STC.
  - Non-compliance = no levy against new area and no budget increase due to annexation computation.
  - Fire Districts Only – if annexing territory within another fire district and/or a city, a copy of the written approval from that existing entity.
- Refer to Rule 225 for additional information.
- Record documentation in all affected counties, I.C. 63-215

# Rule 225 Additional Information

- Required by STC within 30 days of effective date (date ordinance is signed). If order is effective at the end of the year you have 10 days.
  - Required Documents (I.C. §63-215 and IDAPA Rule 225)
    - Legal description
    - Map that matches the legal description
    - Copy of the ordinance
    - Fire Districts annexing within existing fire district or city - a copy of written approval from existing fire district or city.
- To be included in the following year's tax code area (TCA) changes;
  - Documents must be signed no later than Dec. 31.
  - Documents sent to STC no later than January 10.
  - Recommended documents should be mailed by return receipt, certified mail, or other traceable system.
  - Respond to our rejection as soon as possible.
- Questions: Phone – 208-334-7750 Fax – 208-334-7629
  - E-mail – [gis@tax.idaho.gov](mailto:gis@tax.idaho.gov)

# How Much Can I Receive or an Override?

A district's combined fund and override levy cannot exceed the fund's levy limit. Below is one way to estimate the amount of the override.

This example is based on a cemetery district wishing to use an override for its Maintenance and Operation (M&O) fund. (levy limit of 0.0004) The 3% cap limits the district's 2007 budget of \$90,000.

## Computation of Estimated Override

2006 Calendar year end net taxable market value.	\$ 295,000,000
M&O fund's maximum levy limit.	0.0004
Net taxable market value times maximum levy rate.	\$ 118,000
2007 Maximum M&O property tax budget. (w/o Override \$)	\$ 90,000
*Estimated annual amount of the override.	\$ 28,000

- **Exact amount cannot be determined until September 2007 when all values are known.**

# Reporting Overrides on the L-2 Form

An override is fund specific, usually for the M&O or General fund. The combined override and assigned fund levy rates can not exceed the maximum levy rate of the fund.

<b>2007 Dollar Certification of Budget Request to Board of County Commissioners L-2</b>							
<b>District or Taxing Unit's Name:</b> CEMETERY DISTRICT					<b>County(ies):</b> A		
<b>Fund</b>	<b>Total Approved Budget*</b>	<b>Cash Forward Balance</b>	<b>Other revenue <i>NOT</i> shown in Column 5</b>	<b>Column total must equal Line 14 of the L-2 Worksheet</b>	<b>Balance to be levied</b>	<b>Calculated Levy Rate</b>	<b>Maximum Levy Rate</b>
					<b>Col. 2 minus (Cols. 3+4+ 5)</b>	<b>(County Use Only)</b>	<b>(County Use Only)</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
M&O Fund	100,000	2,000	6,000	2,000	90,000	0.000300000	0.0004
Permanent O/R	28,000				28,000	0.000093333	
<b>Subtotal: All funds that are not voter approved except L.C. §63-1305 judgments:</b>					90,000	0.000300000	
<b>Column Total:</b>	128,000	2,000	6,000	2,000	118,000	0.000393333	

This examples reflects a permanent override.

The total of both funds will be used to compute next year's 3% budget increase.

# City Permanent Override with Total Non-Exempt Levy Less Than 0.004

Special Provision I.C. §63-802(1)(f):

Increase in budget to an amount that would have produced a (prior year) levy rate of 0.004.

Requires **60%** voter approval.

Contact Association of Idaho Cities for more information.

# Plant Facility Fund Notes

Libraries and Community Colleges are the only non-school taxing districts with authority to have this type of fund.

Refer to Idaho Code § 33-804 for details

# Fire and Ambulance Districts

## Exempting of Value

(Fire I.C. §31-1425(2) - Ambulance I.C. §31-3908A)

The Board of County Commissioners, upon application, may, by an ordinance enacted no later than the 2<sup>nd</sup> Monday in July, exempt all or a portion of the unimproved real property within the district from taxation, and may exempt all or a portion of the taxable personal property within the district from taxation.

Any ordinance must provide that each category of property is treated uniformly.

Notice of intent to adopt an ordinance which exempts unimproved real property shall be provided to property owners of record in same manner as required in I.C. §67-6511(b) (zoning district boundary change).

# Fire District Exemptions

## Idaho Code §31-1425 (1)

### **Utility Agreements:**

All public utilities shall be exempt from taxation by fire districts.

The board of fire protection commissioners may enter into an agreement with a public utility for the purpose of affording protection provided by the fire district to all, or such portion, of the property of the public utility as may be agreed upon.

Copies of any agreement must be filed with the county clerk and the state tax commission. Considered in effect until cancelled by either party.

# Fire District Budgets w/Utility Agreements I.C. §63-802(2)

A budget increase is allowed. The same utility property cannot be double counted if an agreement lapses and is replaced with a new agreement.

Example:

2007 Value of consenting Utility	\$ 5,000,000
Fire District's 2006 non-exempt levy	X 0.0018
<hr/>	
Additional budget allowance.	\$ 9,000 (built into base for future 3% increases)

# Fire District Consolidation

(I.C. §31-1423(2))

If 2 or more fire protection districts consolidate into one district the provisions of I.C. §63-802 shall apply to the consolidated district's budget request as if the former district which, in the year of consolidation, has the higher levy subject to the limitations of I.C. §63-802 had annexed the other district or districts. In addition, the consolidated district shall received the benefit of foregone increases accumulated by the former districts.

# Fire District Consolidation

## Example I.C. §31-1423(2)

### Assumptions

Value	Budget	Levy
A) \$ 100 m.	\$ 100,000	0.00100
B) \$ 200 m.	\$ 250,000	0.00125

For the purposes of computing the maximum allowable non-exempt property tax portion of the district's budget the consolidation is treated as if Fire district B annexed Fire district A.

### Computation:

A Value	B Levy		
\$ 100 m.	X 0.00125	= \$ 125,000	Annexation \$
		+ \$ 250,000	District B's Budget
		+ \$ 7,500	3% increase of District B's budget
		\$ 382,500	Consolidated district's maximum non-exempt property tax budget.

# The Effect of District Boundary Changes on Existing Bond Levies

## Fire Districts:

Territory **withdrawn** from any fire protection district shall continue to be subject to taxation for the payment of the principal and interest of any indebtedness.

Idaho Code §31-1437.

## Library Districts:

In any **consolidation**, the existing bonded debt of any district or districts shall ***not*** become the obligation of the consolidated library district. The debt shall remain an obligation of the property which incurred the indebtedness. Idaho Code § 33-2710 (4).

## Hospital Districts:

In any **consolidation**, the existing bonded debt of any district or districts shall ***not*** become the obligation of the consolidated hospital district. The debt shall remain an obligation of the property which incurred the indebtedness. Idaho Code § 39-1356.

# Estimated 2007 Property Taxes Reported on the Assessment Notice

District Name	2007 Estimated Total P-Taxes
Ada County	74,522,523
Boise	90,138,564
Eagle	2,055,795
Garden City	2,916,690
Kuna	910,992
Meridian	13,320,546
Star	530,972
Boise Independent #1	11,291,359
Kuna #3	3,830,510
Melba #136	932,571
Meridian #2	47,218,232
Ada County Ambulance	3,304,205
Dry Creek Cemetery	28,435
Fairview Cemetery	32,228
Joplin Cemetery	23,767
Kuna Cemetery	84,684
Melba Cemetery	14,378
Meridian Cemetery	257,500
Star Cemetery	92,732

This is an example of the computed estimated 2007 property taxes. This number was produced by using the highest non-exempt property tax budget plus 3%, estimated new construction roll value (when available) multiplied by the prior year's total non-exempt levy rate, and any existing bonds, overrides etc. Foregone amounts were not used.

Many counties have discontinued showing estimated property taxes on the assessment notices because value increases result in very incorrect and misleading p-tax estimates. To improve the accuracy of this information we ask you to please take time to review the estimated p-tax estimates and make any changes (higher or lower) and return this information to your county clerk(s).

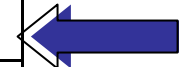
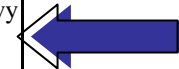
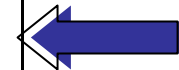
# APPENDIX

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## 2007 Taxing District Calendar

3/20/2007

Date	Idaho Code or Rule	Description
04/30/07	63-802A	Each taxing district shall set and notify the county clerk of the date and location set for the budget hearing of the district or that it is not required to hold a budget hearing.
06/04/07	63-301A(2)	New Construction Roll certified to county auditor. (preliminary)
07/16/07	Rule 800.02	State Tax Commission certifies, using the best information available at the time, the current year's taxable values of operating properties within annexations made during the previous calendar year to the appropriate county auditor.
07/23/07	63-301A(2)	Listing showing the new construction roll in each taxing district forwarded to the State Tax Commission.
07/23/07	Rule 803.06.b	The State Tax Commission shall notify each appropriate County Clerk the total amount of property tax replacement monies for each taxing district or unit if changed.
08/06/07	Rule 803.06.c	Each County Clerk shall notify each appropriate taxing district or unit of the total amount of property tax replacement monies that will be received and shall notify each school district of the appropriate agricultural replacement money to be subtracted before the M&O levy is computed.
09/17/07	Rule 800.04	County auditor shall notify each taxing district or unit of corrected operating property annexation values.
09/06/07	63-803(3)	Taxing districts certify their budgets to the County. County shall then make tax levy in each district. An extension of not more than 7 working days may be granted by the County Commissioners 63-803(3).
09/17/07	63-803(3)	Taxing districts granted an extension to file their budgets to the county commissioners are due.
09/17/07	63-808(1)	Clerk of the board must prepare 4 certified copies of the record of levies and deliver one copy to the assessor, tax collector, state tax commission, and clerk's office.
10/22/07	63-809(1)	State Tax Commission shall notify the County Commissioners of the approval of all previously certified levies. Also notify all taxing districts if certification exceeds any maximum limits.
10/23/07	63-809(2)	Last day the State Tax Commission can act upon levies that have been fixed unlawfully or are in excess of the maximum provided by law.
11/26/07	63-810(1)	Provides for correction of erroneous levy(ies) previously approved by the State Tax Commission. Correction requires an amended L-1 and a copy of the the order of County Commissioners.
01/30/08	63-810(1)(B)	Last day to make notification for the correction of erroneous levies.



# Fee Increase

## Per Idaho Code §63-1311A

### amended by HB-191

- ✓ Increase in excess of 5% of:
  - a. The last fee collected, (individual not cumulative total) or;
  - b. A decision to impose a new fee.
  
- ✓ Requires notifying the public by:
  - a. Newspaper as defined by Idaho Code §60-106, or;
  - b. 3 Public meeting held in 3 different locations within the district's boundary, or;
  - c. Single mailing notice to all district's residents.

# Maximum Budget and Foregone Amount Worksheet

District Name	Highest of the last 3 years approved non-exempt Property Tax Budget			Highest non-exempt P-Tax Budget + P-Tax Replacements	3% Increase (Highest P-Tax \$ plus Total P-Tax Replacement x 3%)	Non-Exempt Approved Levy Rate Total	Foregone Amount
	2004	2005	2006				
Gem County	2,273,384	2,291,247	2,719,163			0.003790200	
County Road & Bridge	340,160	497,999	299,054			0.000416847	
<b>Total County Budget Information:</b>	2,613,544	2,789,246	3,018,217	3,062,835	91,885		
<b>City:</b>							
Emmett	900,278	967,465	1,025,658	1,026,701	30,801	0.004980918	
<b>Schools:</b>							
<b>School districts only use the Tort, Migrant Worker Funds.</b>							<b>New Const Levy</b>
Emmett #221	51,302	52,841	21,753	56,247	1,687	0.000030317	0.000078391
<b>Cemetery:</b>							
Ola Cemetery	1,004	1,069	1,157	1,205	36	0.000096345	
Sweet Montour Cemetery	3,667	3,812	4,207	4,285	129	0.000101433	11
<b>Fire:</b>							
Gem Fire #1	175,243	189,677	179,306	193,771	5,813	0.000432832	12,477
Gem Fire #2	20,526	21,839	23,779	24,401	732	0.000472293	
Middleton Fire	301,050	333,329	375,037	382,978	11,489	0.000740255	
<b>Library:</b>							
Ola Library	806	859	930	964	29	0.000080194	
<b>Mosquito Abatement:</b>							
Gem County Mosquito Abate.	263,822	282,143	301,751	304,366	9,131	0.000539627	

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# Definition of Terms

**Non-exempt funds (subject to 3% cap):** Refers to those funds not specifically exempted from the provisions of I.C. § 63-802.

**Exempt funds (not subject to 3% cap):** Bonds, Overrides, I.C. § 63-1305 Judgments, and Library or Community College Plant Facilities.

**Approved non-exempt property tax budget:** Non-exempt property tax dollars as approved by the State Tax Commission including agricultural equipment & other P-Tax replacement/recovery monies.

**Non-exempt property tax to be levied:** Certified property tax budget minus agricultural equipment & other P-Tax replacement monies.  
**(recovered H/E, recaptured QIE, and County P-Tax relief)**

**Property Tax Replacement:** Is the sum of the agricultural equipment replacement, recovered homeowner's exemption, recaptured qualified investment exemption, and County Property Tax Relief fund monies.

# MAXIMUM STATUTORY LEVY RATES

This sheet is intended as an aid to help find maximum statutory limits of funds for all taxing districts. Where there is no specific decimal amount, refer to code section to insure correct application of law. (Revised: 4/14/2006).

<u>TAXING AUTHORITY</u>	<u>IDAHO CODE</u>	<u>MAX RATE</u>
<u>COUNTY</u>		
Airport.....	21-404	.0004
For building and/or maintenance.		
Ambulance Service .....	31-3901	.0002
Appraisal Program .....	63-314	.0004
Armory Construction .....	46-722	.0002
Bond Redemption .....	63-805, 31-1903	See Code
Building Construction .....	31-1008	.0006
Requires that a special election be held to create this fund and must pass with a 2/3 majority.		
Charities & Indigent.....	31-863	.001
Current Expense .....	63-805	.0026
Or a levy sufficient to raise \$250,000 whichever is greater. If there exists a Justice Fund, the maximum levy rate becomes .002 or a levy sufficient to raise \$250,000 whichever is greater.		
Justice .....	63-805	.002
Or a levy sufficient to raise \$250,000 whichever is greater.		
District Court.....	31-867	.0004

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# Sample of I.C. §63-1305 Availability

Taxing District	2007 Amount of Judgment Remaining
Adams County	511
County Road & Bridge	-
<b>Total County Budget Information:</b>	-
<b>Cities:</b>	-
Council	-
New Meadows	-
<b>Schools:</b>	-
<b>School districts only use the Tort, Tuition, &amp; Insurance</b>	-
Meadows Valley #11	86
Council #13	156
Grangeville #241	-
McCall Donnelly #421	-
Cambridge #432	-
<b>Ambulance:</b>	-
Council Valley Ambulance	30
<b>Cemetery:</b>	-
Bear Creek Cemetery	5
Council Cemetery	-
Indian Valley Cemetery #2	-
New Meadows Cemetery	-
<b>Fire:</b>	-
Council Valley Fire	-
Indian Valley Fire	-
Meadows Valley Fire	-
<b>Flood Control:</b>	-
Flood Control #3	-
<b>Hospital:</b>	-
Council Community Hospital	131
<b>Library:</b>	-
Council Valley Library	-
Meadows Valley Library	8
<b>Recreation:</b>	-
Adams County Recreation	-

This worksheet shows the amounts, by taxing district, available to be claimed on the 2007 L-2.

[Return to Rule 939](#)